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To: Microsoft ATR
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Subject: microsoft settlement ineffective

thanks for your solicitation of comments.

i have been in the business since 1985 and have witnessed the rise of microsoft. i would say that their market position was largely gained in a perfectly legal manner through outmarketing the competition.

BUT, i have also seen them throw their weight around, at least since windows 3.1 was released. at that time, windows 3.0 worked on top of microsoft's own ms-dos, as well as dr-dos, which i believe novell owned at that time. windows 3.1 still worked with ms-dos, but not with dr-dos, thus forcing novell to assume the expense of a quick revision and sending disks to all customers. given their subsequent behavior, i can't believe this was a simple coincidence.

this pattern has repeated itself many times since in my observation and as determined by the district court & the circuit court of appeals.

while it would be nice for microsoft to recognize their transgressions, that is not necessary. but solid measures to prevent such conduct in the future are a necessity, and they will need to be tough as microsoft still doesn't understand what they did wrong, and it thus likely to continue as before. this settlement is weaker than the previous one about not bundling internet explorer, which they have now successfully broken without consequence to microsoft.

i can only hope that the remaining states and european union will do their job where the justice department has abdicated their responsibility. their claims about innovation are met with laughter even amongst their proponents. the longer they can continue to abuse their monopoly position, the longer that the american and world public will continue to have buggy and insecure software foisted upon them. remember, the recent spate of viruses, worms and web attacks (eg nimda, code red etc.) all relied on the gaping security holes in microsoft products.

please understand that microsoft stifles competition and weakens the US software industry, not the reverse. strict sanctions or a breakup strengthen the US software industry overall!

thanks

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